

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 2, 1982
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:36 a.m. with no quorum present. A quorum was present at 8:39 a.m. with Council Members Golding, Williams, Struiksma and Murphy not present. The meeting was recessed by Mayor Wilson at 8:44 a.m. into Closed Session in the Twelfth Floor Conference Room on pending litigation. The meeting was reconvened by Mayor Wilson at 9:05 a.m. with Council Members Golding and Struiksma not present. The meeting was recessed by Mayor Wilson at 10:20 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Wilson at 2:11 p.m. with Council Members Cleator, Golding and Struiksma not present. Deputy Mayor Killea adjourned the meeting at 2:49 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-excused by R-255878 (NLC meeting in Wash., D. C.).
 - (4) Council Member Williams-present.
 - (5) Council Member Struiksma-excused by R-255879 (NLC meeting in Wash., D.C.)
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Killea-present.
- Clerk-Abdelnour (bb a.m.; jb p.m.)

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Wilson-present.
Council Member Mitchell-present.
Council Member Cleator-not present.
Council Member Golding-not present.
Council Member Williams-not present.
Council Member Struiksma-not present.
Council Member Gotch-present.
Council Member Murphy-not present.
Council Member Killea-not present.

ITEM-207: (O-82-135) CONTINUED TO MARCH 8, 1982

An Ordinance of the City of San Diego, California, ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City on June 8, 1982 for the purpose of SUBMITTING to the QUALIFIED VOTERS of the City of San Diego Ordinance O-15554 (New Series) entitled, "AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, DIVISION 10, of the San Diego Municipal Code by amending SECTION 24.0105 and by amending CHAPTER II, ARTICLE 4, by adding a new DIVISION 11, SECTIONS 24.1100 through 24.1114 thereto, all relating to the Employees' Retirement System," for their approval or rejection.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A058-079).

MOTION BY MURPHY TO CONTINUE TO MARCH 8, 1982, AT CITY MANAGER BLAIR'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea, Struiksma-not present, Gotch- yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-208: (R-82-1338) CONTINUED TO MARCH 8, 1982

A Resolution of the Council of the City of San Diego requesting the CONSOLIDATION of a SPECIAL MUNICIPAL ELECTION to be held in the CITY of SAN DIEGO on JUNE 8, 1982 with the STATEWIDE PRIMARY ELECTION to be held on the same date.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A058-079).

MOTION BY MURPHY TO CONTINUE TO MARCH 8, 1982, AT CITY MANAGER BLAIR'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea, Struiksma-not present, Gotch- yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-330:

Matter of REZONING a portion of LOT 5, MIRA MESA SHOPPING CENTER, UNIT NO. 5, MAP-7233 (approximately 37 acres) located south of Mira Mesa Boulevard, between Reagan Road and Camino Ruiz, in the Mira Mesa Community Plan area, from ZONE R-2A to ZONE CA.

(Case-5-81-058. DISTRICT-1.)

Subitem-A: (R-82-1305) ADOPTED AS RESOLUTION R-255929

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-06-10 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-82-134) INTRODUCED, TO BE ADOPTED MARCH 15, 1982
INTRODUCTION of an ORDINANCE for CA Zoning.

FILE LOCATION:

ZONE 3/2/82

COUNCIL ACTION: (Tape location: A018-057).

Hearing began at 8:40 a.m. and halted at 8:43 a.m.

Council Members Williams and Murphy entered at 8:41 a.m.

MOTION BY MITCHELL TO CLOSE HEARING, ADOPT SUBITEM-A AND
INTRODUCE SUBITEM-B Second by Killea. Passed by the following vote:
Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea,
Struiksma-not present, Gotch-yea, Murphy- yea, Killea-yea, Mayor
Wilson-yea.

ITEM-331:

APPEAL of VIRGINIA ULRICH from the decision of the PLANNING
COMMISSION in APPROVING TENTATIVE SUBDIVISION MAP TM-02-120-0
(RIDGEGATE LA JOLLA NO. 2) for a 42-lot subdivision of
portions of LA JOLLA HEIGHTS, ABANDONED DEED BOOK 364, MAP-368
located on the east side of Soledad Mountain Road between
Caminito Muirfield and Desert View Drive, in the R-1-20
(Hillside Review) ZONE and within the boundaries of the La
Jolla Community Plan.
(TM-02-120-0. DISTRICT-1.)

Subitem-A: (R-82-) ADOPTED AS RESOLUTION R-255930

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-04-41 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-82-) ADOPTED AS RESOLUTION R-255931

Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

FILE LOCATION:

SUBD Ridgeway La Jolla No. 2

COUNCIL ACTION: (Tape location: A090-B400).

Hearing began at 9:06 a.m. and halted at 10:10 a.m.

Testimony in favor of the appeal by Virginia Ulrich and Natie Monohan.

Testimony in opposition of the appeal by Paul Robinson.

Motion by Mitchell to uphold the appeal. No second.

MOTION BY CLEATOR TO CLOSE THE HEARING, ADOPT SUBITEMS A AND

B

DENYING THE APPEAL AND GRANTING THE MAP. Second by Killea. Passed by the following vote: Mitchell-nay, Cleator-yea, Golding-not present, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-332: CONTINUED TO MARCH 16, 1982, AT 2:00 P.M.

(Continued from the Meeting of February 9 and February 16, 1982. Last continued for full Council.)

Four actions relative to the IMPROVEMENT of FAIRMOUNT AVENUE between MISSION GORGE ROAD and TWAIN AVENUE on Resolution of Intention No. R-255576.

(1911 Street Improvement Act.)

(Hearing open. Testimony taken. Mayor and District 4 not present.)

Subitem-A: (R-82-938)

Adoption of a RESOLUTION approving the PLANS and SPECIFICATIONS.

Subitem-B: (R-82-939)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

Subitem-C: (R-82-940)

Adoption of a RESOLUTION INVITING SEALED PROPOSALS.

Subitem-D: (R-82-)

Adoption of an 8-vote RESOLUTION OF FEASIBILITY.
(Grantville Community area. DISTRICT-7.)

FILE LOCATION:

STRT D-2235

COUNCIL ACTION: (Tape location: C004-034).

Hearing began at 2:11 p.m. and halted at 2:13 p.m.

MOTION BY GOTCH TO CONTINUE TO MARCH 16, 1982 at 2:00 P.M., AT

CITY MANAGER BLAIR'S REQUEST. Second by Killea. Passed by the following vote: Mitchell- yea, Cleator-not present, Golding-not present, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-333:

19820302

APPEAL of NIGEL S. READ and TIMOTHY YEUN from the decision of the PLANNING COMMISSION IN APPROVING PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT PRD-20-132-3 as it relates to the heights of structures to be placed on LOTS 2 through 7 and LOTS 34 through 39 on property located east and west of La Jolla Corona Drive between La Jolla Rancho Road and Linda Rosa Avenue, in the R-1-5, R-1-10 and R- 1-40 (portions HR) ZONES, within the boundaries of the La Jolla Community Plan and more particularly described as LOTS 1 through 48, LA JOLLA CORONA, MAP- 9729.

(PRD-20-132-3. DISTRICT-1.)

Subitem-A: (R-82-) ADOPTED AS RESOLUTION R-255933

Adoption of a RESOLUTION relating to the appeal and whether or not the permit should be amended as it relates to the height of structures with appropriate findings to support Council action.

Subitem-B: (R-82-) ADOPTED AS RESOLUTION R-255934

Adoption of any necessary RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with the THIRD AMENDMENT TO ENVIRONMENTAL IMPACT REPORT EIR-77-09-01.

FILE LOCATION: PERM PRD-132

COUNCIL ACTION: (Tape location: C230-536).

Hearing began at 2:28 p.m. and halted at 2:47 p.m.

Mayor Wilson left at 2:30 p.m.

MOTION BY MITCHELL TO ADOPT SUBITEM-A, SUSTAINING THE APPEAL AND

APPROVING THE NINTH AMENDED VERSION OF EXHIBIT A WHICH INCLUDES THE

HEIGHT LIMITATIONS OF THE LOTS, CONFIRM THE APPROVAL OF ALL OF THE REMAINING AMENDMENTS TO THE PRD, AND ADOPT SUBITEM-B. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-not present, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson- ineligible.

ITEM-334:

19820302

Five actions relative to the Sunset Cliffs Assessment

District:

(1913 Act)

Subitem-A: (R-82-1393) CONTINUED TO APRIL 6, 1982, AT 2:00
P.M.

Resolution AMENDING REPORT.

Subitem-B: (R-82-1394) CONTINUED TO APRIL 6, 1982, AT 2:00
P.M.

Resolution of PUBLIC CONVENIENCE and NECESSITY and
CONFIRMING ASSESSMENT

Subitem-C: (R-82-1395) RETURNED TO CITY MANAGER

Resolution AWARDED BONDS.

Subitem-D: (R-82-1396) CONTINUED TO APRIL 6, 1982, AT 2:00
P.M.

Resolution AWARDED CONSTRUCTION CONTRACT.

Subitem-E: (R-82-1397) CONTINUED TO APRIL 6, 1982, AT 2:00
P.M.

Resolution regarding CITY CONTRIBUTION.

FILE LOCATION: STRT D-2233

COUNCIL ACTION: (Tape location: C035-228).

MOTION BY WILLIAMS TO CONTINUE SUBITEMS-A, B, D, & E TO APRIL 6,
1982, AT 2:00 P.M., AT GEORGE SIMPSON'S REQUEST AND RETURN SUBITEM-C
TO THE CITY MANAGER. Second by Killea. Passed by the following
vote: Mitchell-yea, Cleator-not present, Golding-not present,
Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea,
Killea-yea, Mayor Wilson-yea.

ADDITIONAL BUSINESS: During consideration of this item, the
Council also adopted the following Resolutions:

(R-82-1464) ADOPTED AS RESOLUTION R-255937

Rejecting all bids for improvement bonds for the Sunset Cliffs
Shoreline Stabilization Assessment District.

(R-82-1466) ADOPTED AS RESOLUTION R-255938

Declaring the City Council's Intention to amend its Resolution of
Intention to provide for the issuance of bonds to represent and be
secured by unpaid assessments pursuant to The San Diego Improvement
District Procedural Ordinance of 1982 rather than the Improvement

Act of 1911 for the Sunset Cliffs Shoreline Stabilization Assessment District.

(R-82-1465) ADOPTED AS RESOLUTION R-255939

Authorizing agreement with Stone & Youngberg for the negotiated sale and purchase of improvement bonds for the Sunset Cliffs Shoreline Stabilization Assessment District.

MOTION BY WILLIAMS TO ADOPT THE RESOLUTIONS, INCLUDING THE RESOLUTION ADOPTING THE NEGOTIATED AGREEMENT WITH STONE & YOUNGBERG

WHICH IS CONDITIONED UPON THE ACTUAL ORDERING THE ISSUANCE OF BONDS

BY COUNCIL. IF THEY ARE NOT ORDERED, THE AGREEMENT COLLAPSES.

Second by Killea. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-not present, Williams-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

* ITEM-CS-1: (R-82-1452) ADOPTED AS RESOLUTION R-255932

A Resolution adopted by the City Council in Closed Session on Tuesday, March 2, 1982:

Authorizing the City Manager to pay the total sum of \$104,400 in settlement of each and every claim against the City, its agents and employees, resulting from the property damage to the Library Association of La Jolla; authorizing the City Auditor and Comptroller to issue one check in the amount of \$104,400 to Higgs, Fletcher & Mack in full settlement of all claims.

Authorizing the execution of a lease with the Library Association of La Jolla for the premises located at 1006 Wall Street for purposes of operating the La Jolla Branch Library for a term of 5 years with one 5-year option to renew with an initial monthly rental of \$3,500 and with subsequent annual increases of 7 per cent; authorizing the expenditure of an amount not to exceed \$14,000 as rent for the remaining months in fiscal year 1982 for the above referenced lease.

FILE LOCATION: MEET

ITEM-UC-2: (R-82-0000) ADOPTED AS RESOLUTION R-255935

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Bill Mitchell from the March 1, 1982 Council meeting for the purpose of bereavement leave due to death in the family.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C537-570).

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-not present, Williams- yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-UC-3: (R-82-0000) ADOPTED AS RESOLUTION R-255936

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Bill Cleator from the afternoon City Council meeting of March 2, 1982, for personal leave.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C537-570).

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-not present, Williams- yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ADJOURNMENT:

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: C571-576).

MOTION BY GOTCH TO ADJOURN THE MEETING IN HONOR OF THE MEMORY OF

R. CRAIG MITCHELL. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-not present, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.